

CWP No.3100 of 2015

Manoj Kumar
2016.08.30 16:53
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**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

**CWP No.3100 of 2015
Date of Order: 30.8.2016**

Kamla Devi

....Petitioner

Versus

State of Punjab and Ors.

....Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: None for the petitioner.

Mr. Nikhil Chopra, Addl.A.G, Punjab.

JASWANT SINGH, J (ORAL)

The petitioner was enlisted as a Cook (Contingent paid) on priority basis being a widow of late Constable Balwinder Kumar, in the 5th Commando Battalion, Bahadurgarh, Patiala vide order dated 06.8.2010. She was, thereafter, re-adjusted on compassionate basis in 9th Battalion, PAP Amritsar vide order dated 24.9.2010. Her services were regularized as Class IV employee on 26.9.2013.

The petitioner, by filing the present writ petition, is seeking a mandamus for permission to undertake the promotional Test thereby enabling her to be eligible for promotion to Class III Post from Class IV Post. It is claimed that she passed her 10th Class Examination from the National Institute of Open School, Noida

during April 2011 after getting permission. She has also been granted permission vide order dated 30.1.2013 for undertaking 10+2 examination as a private candidate.

Upon notice, a detailed reply on behalf of the respondents contesting the claim of the petitioner has been filed. It is submitted that as per the Policy for promotion of Class IV (Group D) officials to Class III (Group C), it is *inter alia* required that the employee must have minimum five years of experience. Since the services of the petitioner were regularized on 26.9.2013, she does not fulfil the requirement of five years of service, thus she cannot be permitted to undertake the typing Test in Punjabi, which provided for promotion to the next higher post.

Today, neither has put in appearance for the petitioner to contest the averments taken in the written statement nor has any replication been filed.

In view of the aforesaid stand of the respondents, no ground for interference is made out.

Dismissed.

August 30, 2016
manoj

(JASWANT SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No